

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

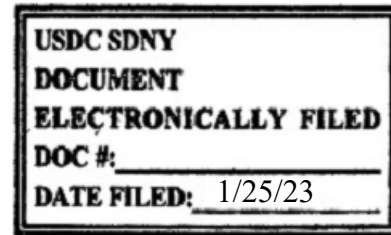
JOHN NICHOLAS IANNUZZI,

Plaintiff,

-against-

WENZHAO LU,

Defendant.



22-CV-911 (JGK) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

The Court is in receipt of plaintiff's request for a judicially supervised settlement conference (Dkt. 57), which advises the Court that plaintiff's is "of a mind that this action be discontinued," and defendant's responding letter (Dkt. 58), which characterizes the request as "highly improper" and argues that defendant, who has asserted counterclaims, should not be expected "to simply walk away."

There is nothing "improper" about plaintiff's request for a settlement *conference*. Moreover, in this Court's experience, the fact that one party wishes to drop his claims is generally a welcome development, which (while of course it does not necessarily dictate a "walkway" agreement) tends to make settlement more rather than less likely. Defendant is correct, however, that the parties should communicate with each other about a potential settlement framework before asking the Court to convene a conference.

As defendant points out, the Court will hold a status conference in this action on February 6, 2022. Prior to that date, counsel shall meet and confer in good faith about settlement. At the conference, they must be prepared to discuss whether a settlement conference is likely to be productive and, if so, when it should be scheduled.

This Order does not suspend any discovery deadlines or obligations.

Dated: New York, New York  
January 25, 2023

**SO ORDERED.**

A handwritten signature in blue ink, appearing to read "Barbara Moses".

**BARBARA MOSES**  
**United States Magistrate Judge**